

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

WENDY THOMAS (NYBN 4315420)
Special Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
Telephone: (415) 436-6809
Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 07-00721 MAG

Plaintiff,)

v.)

ANDREW MAKER,)

Defendant.)

**[PROPOSED] PROTECTIVE ORDER
RE: DISCLOSURE OF WITNESS
NAME AND PERSONAL
IDENTIFYING INFORMATION**

The parties appeared before the Court on March 4, 2008, for a hearing on the defendant's Motion to Compel. Pursuant to that hearing, the Court enters the following order: The United States will immediately produce to counsel for the defendant in this case, Eric Hairston, victim personal identifying information and statements pursuant to the *Jencks* Act, 18 U.S.C. § 3500. Disclosure of these materials will be subject to the following restrictions:

1. Except when being actively examined for the purpose of the preparation of the defense of the defendant named in this case, the victim personal identifying information produced by the United States to defense counsel Eric Hairston shall be maintained in a safe and secure location. Defense counsel shall not permit any person access of any kind to the victim information except as set forth below.

2. The following individuals may examine the witness personal identifying information

1 for the sole purpose of preparing the defense of defendant and for no other purpose:

- 2 a. Counsel for the defendant, Eric Hairston;
- 3 b. Persons employed by the law office of defense counsel who are assisting with the
- 4 preparation of defendant's defenses;
- 5 c. Any expert(s) retained on behalf of defendant to assist in the defense of this
- 6 matter; and
- 7 d. Any investigator(s) retained on behalf of defendant to assist in the defense of this
- 8 matter.

9 3. Any pleadings that include the victim's personal identifying information shall be filed

10 under seal.

11 4. No person who has access to the victim's personal identifying information shall

12 inform the defendant himself as to the personal identifying information of the victim in any

13 manner, form or fashion, whether written or oral.

14

15 JOSEPH P. RUSSONIELLO
United States Attorney

16

17 Dated: 3/5/08

18 By: /s/
WENDY THOMAS
Special Assistant United States Attorney

19

20 IT IS SO ORDERED.

21

22

23 Dated: _____

24 HON. ELIZABETH D. LAPORTE
United States Magistrate Judge